IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 8776 of 2002

Between:

M.M.Shoeb Qureshi,

S/o A.K.Qureshi, Muslim, age 40Yrs.,

Occ: Travel Agent, H.No.20-5-638,

Shahalibanda, Kazipura,

Hyderabad.

..... PETITIONER

AND

Union of Indian through its Secretary,

Ministry of Labour,

Office of the Protector of Emigrants,

Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction and more particularly one in the nature of writ of Mandamus declaring that the impugned circular No.M-11020/01/2002-POE(H) dated

20.04.2002 of respondent under which it has made mandatory to obtain attestation before a Metropolitan Magistrate/Judicial Magistrate/ Oath Commissioner, is arbitrary, illegal, as much as the same is illegal and in violation of provisions of Emigration Act of 1983 and Rules made there under consequently to issue direction to the respondent to modify the circular by way of including public notary/MLA/Gazetted Officer as attesting authority on the affidavit to be signed before him as enclosed with the said circular.

Counsel for the Petitioner: MR.MOHD.MOIN AHMED QUADRI

Counsel for the Respondent No: .

The Court made the following :

ORDER:

Since there was no representation for the petitioner on the last two occasions, the matter is listed today under the caption 'for dismissal'. Even today, none appears for the petitioner. Obviously, the petitioner is not interested in prosecuting the matter.

Accordingly, the writ petition is dismissed for non-prosecution. No costs.

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G.ROHINI,J

Date: 06-12-2004

Klp

To

The Secretary, Union of Indian,

Ministry of Labour,

Office of the Protector of Emigrants,

Hyderabad.

2. Two C.D. copies.